

TFC Contract No. 18-089-000
O'Connell Robertson & Associates, dba O'Connell Robertson
Assignment No. 2
Project No. 20-029-2520

**INDEFINITE DELIVERY INDEFINITE QUANTITY
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
O'CONNELL ROBERTSON & ASSOCIATES, DBA O'CONNELL ROBERTSON**

TFC CONTRACT NO. 18-089-000

ASSIGNMENT NO. 2

THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 2

(hereinafter referred to as "Assignment No. 2" or "Assignment") is entered into by and between the **Texas Facilities Commission**, located at 1711 San Jacinto Boulevard, Austin, Texas 78701 (hereinafter referred to as "TFC") and **O'Connell Robertson & Associates, dba O'Connell Robertson** located at 811 Barton Springs Road, Suite 900, Austin, Texas 78704 (hereinafter referred to as "PSP") (TFC and PSP are hereinafter referred to individually as a "Party" or collectively as "Parties"), to be subject to the terms and conditions that follow.

1.0. **DESCRIPTION OF PROJECT:** The project for which PSP agrees to provide Professional Services is generally described as submit an update of the 2018 assessment originally provided under TFC IDIQ Contract No. 18-089-000, Assignment No. 1 for the 16-acre site and buildings at Camp Hubbard located 3500 Jackson Avenue (35th Street), Austin, Texas (hereinafter referred to as the "Project"), as described in **Exhibit A**, PSP's Proposal dated July 1, 2020, attached hereto and incorporated herein for all purposes and consisting of three (3) Pages.

2.0. **DURATION OF ASSIGNMENT:** The scope of services of this Assignment No. 2 shall be completed no later than February 28, 2021, unless terminated earlier as provided in Section 3.2 of the Agreement. The schedule is subject to adjustments for possible time extension; however, any extension of time must be approved by the TFC and shall require an amendment to Assignment No. 2.

3.0. **SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT:** Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 2.

4.0. **SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT:** PSP shall perform the services under this Assignment No. 2 with its own forces unless otherwise specified. If the scope of services is less than \$100,000.00, a HUB Subcontracting Plan (HSP) is not required. If the scope of services will exceed \$100,000.00, PSP shall submit an HSP for approval pursuant to Section 11.2 of the Agreement.

5.0. **FEE FOR BASIC SERVICES:** Fee for the services set forth in this Assignment No. 2 shall not exceed the sum of Thirty-Two Thousand and No/100 Dollars (\$32,000.00). No more frequently than once per month, PSP shall submit a Pay Application to TFC for services performed and reasonable and necessary costs and expenses incurred through the last day of the previous month. Any reimbursable expenses, if allowed, shall be in accordance with Section 4.6 of the Agreement.

6.0. **IDENTIFICATION OF PSP PROJECT MANAGER AND ALL SUBCONTRACTOR:** (a) For this Assignment No. 2, PSP shall identify the Project Manager, PSP's employees and all subcontractors assigned to this project on the List of Project Manager and Subcontractors (hereinafter referred to as the "List"), attached hereto and incorporated herein for all purposes as **Exhibit B**.

(b) TFC reserves the right to approve the appointment of the PSP Project Manager and to demand that the Project Manager, and any of PSP's employees or subcontractors, be removed and replaced if, in the sole opinion of TFC, their performance on this project or any other projects, is and/or was inadequate or their continued involvement with the Project is, will, or has become detrimental to the timely and successful completion of the project.

(c) The Project Manager and Subcontractors identified in the List shall not be replaced by PSP, nor shall any other subcontractors be engaged by PSP, unless prior written consent is obtained from TFC, which consent shall not be unreasonably withheld, conditioned, or delayed.

7.0 **ENTIRE AGREEMENT AND MODIFICATION:** The Agreement and this Assignment and their integrated attachment(s) constitute the entire agreement of the Parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Assignment specifically displays a mutual intent to amend a particular part of this Assignment, general conflicts in language between any such attachment and this Assignment shall be construed consistently with the terms of this Assignment. Unless otherwise expressly authorized by the terms of this Assignment, no modification, renewal, extension, or amendment to this Assignment shall be binding upon the Parties unless the same is in writing and signed by the respective Parties hereto.

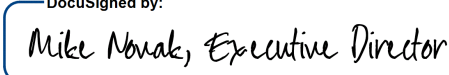
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This Assignment shall be effective as of the date of the last Party to sign.

TEXAS FACILITIES COMMISSION

**O'CONNELL ROBERTSON & ASSOCIATES,
DBA O'CONNELL ROBERTSON**

By: 
DocuSigned by:
Mike Novak, Executive Director
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By: 
DocuSigned by:
Nick Patterson, Principal, O'Connell Robertson
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Mike Novak

Nick Patterson, P.E., LEED AP BD+C

Executive Director

Principal

Date of execution: 01/04/2021 | 1:11 PM CST

Date of execution: 01/04/2021 | 1:04 PM CST

PM 

DGC 

Dir 

DED 

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EXHIBIT A



O'CONNELL ROBERTSON

Mission driven.

July 1, 2020

Dorothy Spearman
Senior Project Manager – Facilities
Design & Construction Texas Facilities Commission
1711 San Jacinto Blvd.
Austin, TX 78701

**RE: Update Facilities Analysis and Master Plan
Texas Department of Motor Vehicles**

Austin

811 Barton Springs Road, Suite 900

Austin, TX 78704

512.478.7286

San Antonio

4040 Broadway, Suite 300

San Antonio, Texas 78209

210.224.6032

oconnellrobertson.com

Dear Dorothy:

Pursuant to your email of May 28, 2020 and our virtual meeting on June 23, 2020, outlined below is our proposal to address the scope of work discussed.

1 Project Understanding

The Texas Department of Motor Vehicles (TxDMV) desires to revise and update the potential long-term viability of certain facilities and related site development at the 16-acre campus known as Camp Hubbard.

The Project analysis prepared by O'Connell Robertson for TxDMV dated November 2018, will serve as a basis to reconfirm programmatic space requirements for TxDMV and understanding of existing conditions. This current analysis will specifically focus on the following five options of reallocation of space and modifications to existing site.

1. Demolish existing Building 5 and construct a five-story building to accommodate all TxDMV functions and staff except Motor Carrier Division
2. Modify item one above as required to include the Motor Carrier Division
3. Modify item two above as required to include a portion of Central Support for Driver's Licensing staff of approximately 100 FTE's (to be confirmed).
4. Locate and construct a four-story parking garage on the campus

As part of the analysis and definition of the above options, each one will include an estimate of probable development and construction costs.

It is further recognized that based on existing conditions of other building or major campus systems, as identified in recent independent studies of reports, other functions, i.e. cafeteria may be removed from existing locations and integrated within the new building scope.

Site conditions related to parking, vehicle and service access and pedestrian circulation will be assessed as part of the analysis.

The expected deliverable developed as the result of this study, will be utilized to facilitate review and potential funding. It will consist of both narrative and graphics, along with respective cost estimates to define a proposed master plan that will achieve the long-term goals of TxDMV.



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2 Services

The following services are proposed.

- a. Review applicable reports or assessments of building conditions generated since completion of November 2018 Project Analysis
- b. Conduct on-site tour of existing facilities to refresh understanding of current conditions
- c. Review and confirm future space needs in support of revising comprehensive space program
- d. Develop conceptual diagrams graphically illustrating cost-effective and efficient configurations of new five-story building, required to address approved space program
- e. In concert with above, assess capacity for required parking garage and location
- f. Develop conceptual images of new building and parking garage to define quantity, character and quality of new facilities to support cost estimating
- g. Develop narratives describing systems and materials of proposed building and parking garage to further support cost estimating
- h. Coordinate the cost-estimating services of a general contractor for each of the options
- i. Building and site concepts will be combined to produce an updated comprehensive master plan for Camp Hubbard
- j. All the above will be documented and presented in a format consistent with the November 2018 Project Analysis
 - a. Three hard copies and digital file of document will be provided

3 Scheduling

Based on project start on or around August 1, 2020 we provide the following timeline for development. At the initial meeting, we will establish specific future meeting times convenient to TxDMV personnel.

Aug. 1 - Aug. 15, 2020	Mtg. 1 – Project/program overview and site tour
Aug. 15 -Sept. 15, 2020	Mtg. 2 – Review space program & preliminary planning concepts
Sept.15- Oct 1, 2020	Mtg. 3 - Review final space program and building concepts
Oct. 1 - Oct. 15, 2020	Mtg. 4 - Review preliminary cost estimates
Oct. 15- Nov. 1, 2020	Mtg. 5 - Review of final draft of project analysis
Nov. 1 – Nov. 15, 2020	Final project analysis complete and submitted

4 Fee

We propose a lump sum fee in the amount of \$22,000.00 for O'Connell Robertson's services and an allowance of \$10,000.00 for estimating services by selected general contractor. Any unused portion of the allowance will be credited back to TxDMV.

40% of fee amount will be invoiced at the end of October. The balance will be invoiced at the end of November.

5 Reimbursable Expenses

Miscellaneous costs expended in the development of the project are included in the lump sum fee amount above. No additional expenses will be invoiced.



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6 Hourly Rate Schedule

Should additional services be required and approved, the following hourly rates will govern the costs of additional services:

Principal	\$250/hr
Project Management	\$200/hr
Sr. Registered Architect	\$175/hr
Registered Engineer	\$185/hr
CAD Production	\$100/hr
Administrative	\$90/hr

7 Assumptions

The following assumptions govern the scope of this proposal:

- a. This proposal will be executed within the requirements and context of our IDIQ Professional Services Agreement with Texas Facilities Commission.

We appreciate your consideration of O'Connell Robertson to again assist in the future planning of TxDMV and Camp Hubbard.

Sincerely,

Richard Burnight, AIA, ACHA
Principal

CC: Casey Nicholson, RA
Nick Patterson, PE, Principal

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EXHIBIT B

**LIST OF PSP PROJECT MANAGER
AND
SUBCONTRACTORS
(Name, Company Name, Address & Contact Person (Project Manager))**

A. PSP Project Manager:		<table border="1"> <tr> <td>Vend/Agency Name:</td> <td>O'CONNELL ROBERTSON AND ASSOC</td> </tr> <tr> <td>Address Line 1:</td> <td>811 BARTON SPRINGS RD #900</td> </tr> <tr> <td>Address Line 2:</td> <td></td> </tr> <tr> <td>City, State, Zip:</td> <td>AUSTIN, TX 78704</td> </tr> <tr> <td>Point of Contact:</td> <td>Rick Burnight</td> </tr> <tr> <td>Contact Phone No:</td> <td>512.478.7286</td> </tr> <tr> <td>Contact Email:</td> <td>rburnight@oconnellrobertson.com</td> </tr> </table>	Vend/Agency Name:	O'CONNELL ROBERTSON AND ASSOC	Address Line 1:	811 BARTON SPRINGS RD #900	Address Line 2:		City, State, Zip:	AUSTIN, TX 78704	Point of Contact:	Rick Burnight	Contact Phone No:	512.478.7286	Contact Email:	rburnight@oconnellrobertson.com
Vend/Agency Name:	O'CONNELL ROBERTSON AND ASSOC															
Address Line 1:	811 BARTON SPRINGS RD #900															
Address Line 2:																
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Point of Contact:	Rick Burnight															
Contact Phone No:	512.478.7286															
Contact Email:	rburnight@oconnellrobertson.com															
B. Subcontractors:																
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